

A. STATE-AT-A-GLANCE

1)	Program Operation	State Operated.
2)	Number of Local Offices (excluding Agencies under Cooperative Agreements)	11, plus Central Office.
3)	Type of Agencies with Cooperative Agreements	State of Maine, Judicial Branch.
4)	Uniform Interstate Family Support Act	Yes.
5)	Agreements With Tribal Entities	No.
6)	Age of Majority for Termination of Support	18, except for support orders first issued after 1/1/90, which continue until age 19 if the child is attending secondary school.
7)	Statutes of Limitation:	
	• Collection of Past Due Support	None. However, payment is presumed after 20 years.
	• Paternity Establishment	Child's 18th birthday.
	Dormancy Revival/Renewal Possible [yes/no]	None.
8)	Guidelines	Income shares.
9)	Interest Rates on	
	• Missed Payments	No.
	• Retroactive Support	No.
	• Adjudicated Arrearage	No.
10)	Arrearage Collections for Non- minor Child(ren)	Yes, primarily through income withholding, liens, state income tax refund offset, UIB intercept; except no federal tax intercept.
11)	Distribution Scheme	
	• AFDC Arrears	First to current support (proportionately among multiple cases), then to Non-AFDC arrears (except for income tax refund offset) (proportionately among multiple cases), then to AFDC arrears (proportionately among multiple cases).
	• Non-AFDC Arrears	[See AFDC Arrears, above.]

12)	Procedures Regarding Medical Support Using Income Withholding	Yes, under Maine's Alternative Method of Support Enforcement.
13)	New Hire Reporting	Yes.
14)	Recovery of Costs Elected Under State Plan	Yes.
15)	Recovery of Costs for Initiating State	No.
16)	Long-Arm Statute/s Citation/s	Yes: 19 MRSA § 492-A, 14 MRSA § 704-A, 19 MRSA § 422 (UIFSA), and 19 MRSA § 518.
17)	Automated Locate Resources	Dept. Motor Vehicles, Dept. Labor, credit reporting agencies, Dept. Human Services databases.
18)	Enforcement Options	
	• State Income Tax Refund Intercept	Yes.
	• License Revocation/ Suspension	Yes: Drivers' and Occupational.
	• Administrative Liens	Yes.
	• Property Seizure & Sale	Yes.
	• State Funds/Benefits (please specify)	Workers compensation; unemployment insurance benefits; state wages and retirement benefits.
	• Other (please specify)	order to withhold and deliver (garnishment); federal income tax refund offset; lottery intercept; administrative disclosure, non-attorney civil enforcement; order to seize and sell.
19)	Spousal Maintenance Orders <i>(specify yes or no)</i>	
	• Establish	No.
	• Enforce	Yes (when/for period when dependent child residing with obligee).
	• Modify	No.
20)	Current Spouse/Partner Information Required	No.

B. UNIFORM INTERSTATE FAMILY SUPPORT ACT

1) State Code Citation	19 MRSA §§ 421-429(B).
2) Effective Date	July 1, 1995.
3) Adopted Verbatim? If no, list differences.	No. No direct income withholding; All petitions must be routed to IV-D; registration by IV-D optional.
4) Repeal URESA?	Yes.
5) Repeal IWW?	N/A. In Maine, "interstate wage withholding" meant/means Maine's administrative enforcement of another state's order as if it were a Maine order, <u>without the need of registration in Maine.</u>

C. INCOME WITHHOLDING

1) Income Withholding Terminology	Income Withholding.
2) Income Withholding Procedures	
• State Withholding Limits	By statute, the same as federal. However, in practice, in most cases, a ceiling of 50% of disposable income (generally, gross income minus federal and state income taxes and social security contributions).
• Fee Charged by Employers	\$2.00 per transaction.
• Date to Remit	Within 10 days of withholding.
• Penalty	\$100 for each violation.
3) Definition of Employer	Not defined.
4) Included Income	Compensation paid or payable for personal services, whether denominated as wages, salary, commissions, bonuses or otherwise, and specifically includes periodic payments pursuant to pension and retirement programs, or insurance policies of any type, and all gain derived from capital, from labor, or from both combined, including profit through sale or conversion of capital assets, and unemployment compensation and workers' compensation benefits.
5) Excluded Income	Income excluded by federal law.
6) Direct Income Withholding for Unemployment Compensation,	No.

	include address	
7)	Direct Income for Workers' Compensation, include address	No.
8)	Direct Income Withholding, other income sources subject to, include address	No.
9)	Direct Income Withholding, list Other Income Sources NOT subject to	All.
10)	Federal Withholding (See Federal Pay Agents Section)	
11)	Procedures for Contesting Income Withholding	By requesting an administrative review.
12)	Arrearages through Income Withholding	Yes.
13)	Enforcing Against Non-Resident Obligor Asset/Income	Yes.
14)	Exception to Immediate Withholding	Yes; written agreement between the parties that provides an alternative arrangement that is acceptable to the court or administrative hearing officer.
15)	Multiple Obligations Withholding Priorities	
	• Policy	See Section A(11).
	• Priority	See Section A(11).
	• Assistance	Case Review Unit DSER, DHS 11 State House Station Augusta, ME 04333 (207) 287-8090
	• Allocation	See Section A(11).

D. PATERNITY

1)	Interstate Paternity Procedures	In most cases, paternity establishment is sought under UIFSA if an acknowledgment of paternity cannot be obtained; if an
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	acknowledgment is obtained, a support order including past-due support is pursued administratively.
Consent Orders Obtained	Yes.
2) Uniform Parentage Act	No, but Maine has the Uniform Act on Paternity.
3) Uniform Act on Blood Testing	No.
4) Parentage Order Available Without Order for Support	Yes.
5) Custody/Visitation Addressed Subject to Tribunal's Jurisdiction	No.
6) Genetic Test Results as Presumption of Paternity	Yes.
Threshold	97%.
7) Paternity Acknowledgment as Presumption of Paternity (Rebuttable/Conclusive)	Yes: Conclusive.
8) Marriage as Presumption of Paternity	Yes, but outweighed by positive genetic test results.
9) Putative Father's Name on Birth Certificate, Effect of	A father's name may not be entered on birth certificate of a child conceived and born out of wedlock without his acknowledged written consent, unless acknowledgment is taken by Maine's IV-D agency.
10) Other Statutory Presumptions	No.
11) Recognition of Common Law Marriage	No.
12) Personal Appearance of Witness or Custodial Parent Required	Yes, at a hearing/trial, as distinguished from preliminary proceedings, e.g., motion for blood tests; this requirement does not apply to administrative proceedings to establish current support and/or debt for past necessary support, based upon an acknowledgment of paternity.
Acceptable Methods of Testimony	As provided under UIFSA (19 MRSA § 423-O).
13) Long-Arm Statute	19 MRSA § 518; 19 MRSA 704-A.
14) Assistance to Other States Using Their Long-Arm Statutes	
• Service of Process	Case Review Unit DSER, DHS 11 State house Station

	Augusta, ME 04333 (207) 287-8090
• Genetic Testing	Same as above.
15) Recovery of Genetic Testing Costs for Other States	No.

E. SUPPORT ORDER ESTABLISHMENT

1) Interstate Procedures	Current support and debts for past necessary support are established administratively, pursuant to Alternative Method of Support Enforcement (19 MRSA §§491-516).
2) Income Considered for Setting Support	Compensation paid or payable for personal services, whether denominated as wages, salary, commissions, bonuses or otherwise, and specifically includes periodic payments pursuant to pension and retirement programs, or insurance policies of any type, and all gain derived from capital, from labor, or from both combined, including profit through sale or conversion of capital assets, and unemployment compensation and workers' compensation benefits.
3) Criteria for Rebuttal	A finding that guidelines-based award would be inequitable, unjust, inappropriate or not in the child's best interest. [For bases for such a finding, see 19 MRSA § 317(3).]
4) Support Order for Prior Periods	Yes; up to six years prior to commencement of an action to establish and order for past support. <u>Required Documents:</u> Testimony/affidavit as to gross income of custodial parent and as to work-related day-care expenses of custodial parent must cover periods of AFDC if AFDC reimbursement is sought; in UIFSA proceeding to establish or modify support award, income/asset forms required by Rules of Maine Supreme Court must be completed; affidavit of past payment/nonpayment.

F. ENFORCEMENT

(Note: If multiple orders, see Part “G”)

I. ENFORCING YOUR OWN ORDER

1) Enforcement for Non-Resident Family	Same as for residents.
2) Administrative Procedures and Remedies Available	See Section A-18, above.

3) Judicial Procedures and Remedies Available with Registration	Contempt, turnover orders, installment orders, seek work orders, order to hold and answer, possessory liens. (The order need not be registered.)
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II. ENFORCING OTHER STATES' ORDERS

4) Administrative Procedures and Remedies Available Without Registration	All.
5) Judicial/Administrative Remedies with Registration	Same as Section F(I)(3).
6) UIFSA/URES A Registration and Enforcement Procedure	<p>UIFSA.</p> <p><u>Procedure:</u> transmittal of required documents to IV-D agency. IV-D will take all appropriate administrative actions and normally will not register a foreign support order.</p> <p><u>Documents:</u> certified copy of support order (and any modification of order); sworn statement by the party seeking enforcement or certified statement by custodian of records showing amount of arrearages; and statement of obligor's name, and if known, his address and social security number, name and address of obligor's employer and any other source of income, and a description and location of obligor's property in Maine not exempt from execution; and name and address of obligee and, if applicable, agency to whom support payments are to be remitted.</p>
7) Judicial Procedures Required after Registration	Hearing on motion to enforce.
8) Uniform Enforcement of Foreign Judgments Act Citation	Yes: 14 MRSA § 8001.

G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS

1) Jurisdiction Requirements	UIFSA, 19 MRSA § 426-J.
2) Modification Procedures	<p>Motion for amendment for Maine court orders; administrative amendment review for Maine administratively established child support awards; in absence of substantial evidence that there is more than 15% deviation from Maine guidelines, Maine's IV-D agency will not undertake to modify an order; older orders and orders for which reviews have previously been requested will take precedence under Maine's plans/ procedures for review/modification of child support awards; normally, modifications of non-Maine orders should be sought in state of issuance before requesting enforcement by Maine IV-D.</p>

3) Criteria for Modification	Substantial change of circumstances; by statute, deviation of more than 15% from ME's guidelines.
4) Criteria for Change of Circumstances	Deviation of more than 15% from Maine's guidelines.
5) Frequency With Which Reviews are Conducted	Every three years, resources permitting.
6) Criteria for Review	Deviation of more than 15% from Maine's guidelines; whether non-custodial parent is required to obtain or maintain health insurance if available at reasonable cost.
7) Criteria for Adjustment	Deviation of more than 15% from Maine's guidelines; whether non-custodial parent is required to obtain or maintain health insurance if available at reasonable cost.

H. MULTIPLE ORDERS

ENFORCEMENT AND MODIFICATION

1) Controlling Order	Determined under 19 MRSA § 422-F.
2) Date of Controlling Order	Date specified by the order or, if not specified, the date of the order.
3) If No Controlling Order	Enforce the highest order.
4) Arrears Procedure	Collect non-AFDC arrears first, then arrears owed to Maine, then arrears owed to other states.

I. Documentation Required to Initiate Requests

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each document	Certification required for each document *See below
Establishment of Paternity and Support	<p><u>For support:</u> See E-4, above, plus attested/certified copy of acknowledgement of paternity if that is basis for support/debt award.</p> <p><u>For paternity:</u> None (unless attested/certified copy of acknowledgement of paternity is to be basis for support/ debt award).</p>	1	As applicable
Enforcement of Responding State's Order	(1) copy of support order and (2) statement of basis for computing arrearage.	1	(1) C (2) N or B
Modification of Responding States' Orders	Any document of evidentiary materiality; if modification of a Maine court order sought, income/asset forms required by Rules of Maine Supreme Court must be completed.	1	As applicable
Administrative Enforcement of Another States' Order	(1) copy of support order and (2) statement of basis for computing arrearage.	1	(1) C (2) N or B
Registration for Enforcement of Another States' Order	See H-6, above.	1	
Collection of Arrearages in Multiple Orders	(1) Copies of orders and (2) statement referable to UISFA, 19 MRSA § 422-F.	1	(1)C (2)N or B
Uniform Enforcement of Foreign Judgments Act	Copy of foreign judgment authenticated in accordance with the Act of Congress or Maine statutes plus affidavit setting forth name and last known post office address of judgment debtor and judgment creditor. [But see F-8, above.]	1	As applicabe
Modification of Another State's Order	Any document of evidentiary materiality.	1	As applicabl e
Status Update on an Existing Interstate Case	Any form of request.	1	n/a
Assistance/Discovery	Any form of request.	1	n/a

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each docu- ment	Certifi- cation required for each docu- ment *See below
Quick Locate	Any form of request identified as one for a quick locate.	1	n/a

**A= Notarization by Notary Public; B= Certification by signature of agency official;*
C= Certification by signature of court official; D= Others (please specify);
E= Certification not required

J. State Contact Chart

ASSISTANCE NEEDED	CONTACT Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)
State Information Agent	Ann Liburt Central Office Supervisor DSER, DHS Whitten Rd. State House Station 11 Augusta, ME 04333 (207)287-2886
Central Registry	Same.
Interstate Policy Contact (if different)	Same.
Contact for Information Regarding Your States Long Arm Statute and Process	Case Review Unit DSER, DHS Whitten Rd. State house Station 11 Augusta, ME 04333 (207) 287-8090
Contact for Information Regarding Collection and Distribution (State level)	Same.
Contact to Obtain Payment Records	IV-D Cashier Dept. Human Services 221 State Street State House Station 11 Augusta, ME 04333 (207) 287-1882
Contact to Obtain Copy of Order	(If there is/has been a ME support enforcement case of its own or as a responding state) Ann Liburt

	<p>Central Office Supervisor</p> <p>DSER, DHS</p> <p>Whitten Rd.</p> <p>State House Station 11</p> <p>Augusta, ME 04333</p> <p>(207)287-2886</p>
Contact for States Using Their Long Arm Statutes or Continuing Exclusive Jurisdiction (no “case” in your State) for	<p>Case Review Unit</p> <p>DSER, DHS</p> <p>Whitten Rd.</p> <p>State house Station 11</p> <p>Augusta, ME 04333</p> <p>(207) 287-8090</p>
<ul style="list-style-type: none"> • Service of Process <p>(private process server? If so , list)</p>	Same.
<ul style="list-style-type: none"> • Genetic Testing <p>(e.g. assistance with interstate teleconferencing)</p>	Same.
New Hire Reporting Contact	<p>Ann Liburt</p> <p>Central Office Supervisor</p> <p>DSER, DHS</p> <p>Whitten Rd.</p> <p>State House Station 11</p> <p>Augusta, ME 04333</p> <p>(207)287-2886</p>
Employer Assistance Contact	<p>Case Review Unit</p> <p>DSER, DHS</p> <p>Whitten Rd.</p> <p>State house Station 11</p>

	<p>Augusta, ME 04333</p> <p>(207) 287-8090</p>
<p>Telephone Number for Automated Interstate Case <i>Status</i> Requests</p> <p>(if any)</p>	n/a
<p>Telephone Number for Automated Interstate Case <i>Payment</i> Requests</p> <p>(if any)</p>	n/a
Privatization Contact	n/a